

United States Courts
Southern District of Texas
FILED

APR 30 2013

David J. Bradley, Clerk of Court

JUDGE DAVID BRIONES

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

2013 APR 17 PM 5:22
CLERK, US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

SEALED

DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. EP-13-CR-

INDICTMENT

CT 1: 21:846 & 841(a)(1)-Conspiracy to Possess a Controlled Substance with Intent to Distribute and to Distribute;

CTS 2-6; 8-12; 14-17; 19; 21; 25; 26; 28; 34; 35; 37; 39: 21:841(a)(1) - Possession with Intent to Distribute a Controlled Substance

CTS 23; 30; 32: 21:841(a)(1) & 860 - Possession with Intent to Distribute and Distribution of a Controlled Substance near a School;

CTS 7; 13; 18; 20; 27; 29; 36; 38; 40; 41: 21:856(a)(2)- Maintaining a Drug-involved Premises

CTS 24; 31; 33: 21:856(a)(2) & 860- Maintaining a Drug-involved Premises Near a School

CT 22; 18: 922(g) - Possession of a Firearm by a Prohibited Person

EP13CR0800

14. CALEB JORDAN McCRELESS,
a.k.a. "Bear".

H-13-474 M

Defendants.

THE GRAND JURY CHARGES:

COUNT ONE

(21 U.S.C. §§ 846 & 841(a)(1) & 841(b)(1)(A)(ii))

That beginning on or about January 2010 and continuing to the date of this indictment, in

the Western District of Texas and elsewhere, Defendants,

CALEB JORDAN McCRELESS,
a.k.a. "Bear",

knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, and with each other, and with others to the Grand Jury unknown, to commit offenses against the United States, in violation of Title 21, United States Code, Section 846, that is to say, they conspired to possess a controlled substance, which involved five kilograms or more of a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled

Substance, with intent to distribute and did distribute same, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii).

COUNT TWO
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about June 6, 2010, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about January 21, 2011, in the Western District of Texas, the Defendant,

CALEB JORDAN McCRELESS,
a.k.a. "Bear",

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FOUR
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about March 30, 2011, in the Western District of Texas, the Defendant,

CALEB JORDAN McCRELESS,
a.k.a. "Bear",

knowingly and intentionally possessed with intent to distribute a controlled substance, and

distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FIVE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about April 8, 2011, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute and distributed a controlled substance, which offense involved a mixture or substance containing a detectable amount of Fentanyl, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SIX
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about April 15, 2011, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SEVEN
(21 U.S.C. § 856(a)(2))

On or about April 15, 2011, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 535 South Concepcion, El

Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT EIGHT
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about May 17, 2011, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT NINE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about October 17, 2011, in the Western District of Texas, the Defendants,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about November 16, 2011, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT ELEVEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about January 6, 2012 in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWELVE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about January 12, 2012 in the Western District of Texas, the Defendants,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule

II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THIRTEEN
(21 U.S.C. § 856(a)(2))

On or about January 12, 1012, in the Western District of Texas, the Defendants,

while managing and controlling a building, room and enclosure, at 2810 Castle Hill Circle, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT FOURTEEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about February 1, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FIFTEEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about February 10, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SIXTEEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about February 15, 2012, in the Western District of Texas, the Defendants,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SEVENTEEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about February 22, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II

Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT EIGHTEEN
(21 U.S.C. § 856(a)(2))

On or about February 22, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 535 South Concepcion, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT NINETEEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about March 1, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWENTY
(21 U.S.C. § 856(a)(2))

On or about March 1, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 535 South Concepcion, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT TWENTY-ONE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about March 27, 2012, in the Western District of Texas, the Defendants,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWENTY-TWO
(18 U.S.C. 922g)

Beginning on or about April 3, 2012 and continuing to on or about April 10, 2012, within the Western District of Texas, the Defendants,

who having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting commerce a firearm, to-wit: a semi-automatic handgun and a semi-automatic rifle, in violation of Title 18, United States Code, Section 922 (g) (1).

COUNT TWENTY-THREE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

Beginning on or about April 14, 2012 and continuing to on or about April 19, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a) within 1000 feet of a school, namely St. Joseph's School, located at 1300 Lamar Street, El Paso, Texas. All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860.

COUNT TWENTY-FOUR
(21 U.S.C. § 856(a)(2))

On or about April 19, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 4001 Avenue #B, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2) within 1000 feet of the real property of a school, namely St. Joseph's School, located at

1300 Lamar Street, El Paso, Texas. All in violation of Title 21, United States Code, Section 856(a)(2) and 860.

COUNT TWENTY-FIVE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about the April 24, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWENTY-SIX
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about June 1, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWENTY-SEVEN
(21 U.S.C. § 856(a)(2))

On or about June 1, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 535 South Concepcion, El

Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT TWENTY-EIGHT
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

Beginning on or about June 6, 2012 and continuing to on or about June 14, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWENTY-NINE
(21 U.S.C. § 856(a)(2))

On or about June 14, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 535 South Concepcion, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code,

Section 856(a)(2).

COUNT THIRTY
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C)

On or about June 29, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a) within 1000 feet of a school, namely St. Joseph's School, located at 1300 Lamar Street, El Paso, Texas. All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860.

COUNT THIRTY-ONE
(21 U.S.C. § 856(a)(2))

On or about June 29, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 4001 Bliss Avenue #B, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2) within 1000 feet of the real property of a school, namely St. Joseph's School, located at 1300 Lamar Street, El Paso, Texas. All in violation of Title 21, United States Code, Section 856(a)(2) and 860.

COUNT THIRTY-TWO
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about August 8, 2012, in the Western District of Texas, the Defendants,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a) within 1000 feet of a school, namely St. Joseph's School, located at 1300 Lamar Street, El Paso, Texas. All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C) and 860.

COUNT THIRTY-THREE
(21 U.S.C. § 856(a)(2))

On or about August 8, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 4001 Avenue #B, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2) within 1000 feet of the real property of a school, namely St. Joseph's School, located at 1300 Lamar Street, El Paso, Texas. All in violation of Title 21, United States Code, Section 856(a)(2) and 860.

COUNT THIRTY-FOUR
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about September 5, 2012, in the Western District of Texas, the Defendants,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THIRTY-FIVE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about October 4, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THIRTY-SIX
(21 U.S.C. § 856(a)(2))

On or about October 4, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 11436 Lake Geneva, El Paso,

Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT THIRTY-SEVEN
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about November 28, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance and distributed a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THIRTY-EIGHT
(21 U.S.C. § 856(a)(2))

On or about November 28, 2012, in the Western District of Texas, the Defendant,

while managing and controlling a building, room and enclosure, at 11436 Lake Geneva, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT THIRTY-NINE
(21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C))

On or about December 6, 2012, in the Western District of Texas, the Defendant,

knowingly and intentionally possessed with intent to distribute a controlled substance, which offense involved a mixture or substance containing a detectable amount of Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT FORTY
(21 U.S.C. § 856(a)(2))

On or about November 28, 2012, in the Western District of Texas, the Defendants,

while managing and controlling a building, room and enclosure, at 3723 Yandell, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

COUNT FORTY-ONE
(21 U.S.C. § 856(a)(2))

That beginning on or about January 2009 and continuing to the date of this indictment, in the Western District of Texas, the Defendants,

while managing and controlling a building, room and enclosure, at 812 Estrella, El Paso, Texas, as an owner, lessee, agent, employee, and mortgagee, knowingly and intentionally rented, leased, and made available for use, with and without compensation, said building, room and enclosure for the purpose of unlawfully manufacturing, storing, distributing, and using Cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 856(a)(2).

A TRUE BILL.
ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002

FOREPERSON OF THE GRAND JURY

ROBERT PITMAN
UNITED STATES ATTORNEY

BY: Juanita Fielden
JUANITA FIELDEN
Assistant U.S. Attorney

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

CALEB JORDAN McCRELESS,

)
)
)
)
)
Case No. EP-13-CR-800-DB

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) CALEB JORDAN McCRELESS, a.k.a. "Bear",
who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

CT 1: 21:846 & 841(a)(1)-Conspiracy to Possess a Controlled Substance with Intent to Distribute and to Distribute

CTS 3 & 4: 21:841(a)(1) Possession with Intent to Distribute a Controlled Substance

Date: 04/17/2013

Gloria Preciado
Issuing officer's signature

City and state: El Paso, TX

Gloria Preciado

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

COPY

Date: _____

**EXECUTE ORIGINAL AT
US MARSHALS/WARRANTS
OFFICE.**

Gloria Preciado
Issuing officer's signature